

SENATE BILL 270

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By: **Senators Simonaire and Reilly**

Introduced and read first time: January 22, 2010

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Anne Arundel County – Board of Education and School Board Nominating**
3 **Commission – Open Meetings and Public Records**

4 FOR the purpose of requiring that all actions of the Anne Arundel County Board of
5 Education and the School Board Nominating Commission of Anne Arundel
6 County be taken at a public meeting and that certain records and certain
7 actions be made public; providing that this Act does not prohibit the county
8 board or the Commission from meeting in executive session provided that
9 certain information is contained in a public record; and generally relating to
10 meetings and records of the Anne Arundel County Board of Education and the
11 School Board Nominating Commission of Anne Arundel County.

12 BY repealing and reenacting, with amendments,
13 Article – Education
14 Section 3–110
15 Annotated Code of Maryland
16 (2008 Replacement Volume and 2009 Supplement)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
18 MARYLAND, That the Laws of Maryland read as follows:

19 **Article – Education**

20 3–110.

21 (a) (1) The Anne Arundel County Board consists of 9 members who shall
22 be appointed as follows:

23 (i) 3 from the county at large;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (ii) 1 each from legislative districts 30, 31, 32, 33, and that
2 portion of legislative district 21 that lies within Anne Arundel County; and

3 (iii) 1 student member.

4 (2) Except for the student member, the Governor shall appoint a
5 member of the county board from a list of nominees submitted by the School Board
6 Nominating Commission of Anne Arundel County as provided in subsection (b) of this
7 section.

8 (b) (1) (i) There is a School Board Nominating Commission of Anne
9 Arundel County.

10 (ii) The purpose of the Commission is to select nominees to be
11 recommended to the Governor as qualified candidates for appointment to the Anne
12 Arundel County Board of Education.

13 (iii) The Commission shall hold at least two public hearings on
14 the selection of nominees before recommending to the Governor nominees for
15 appointment to the county board.

16 (2) (i) The Commission consists of 11 members who shall be
17 appointed in accordance with this paragraph.

18 (ii) The Governor shall appoint five members, one from each
19 legislative district that lies in whole or in part in Anne Arundel County.

20 (iii) The County Executive of Anne Arundel County shall appoint
21 one member from the county at large.

22 (iv) The following organizations shall each appoint one member:

23 1. The Teachers Association of Anne Arundel County;

24 2. The Annapolis and Anne Arundel County Chamber of
25 Commerce;

26 3. The Anne Arundel County Council of Parent Teacher
27 Associations;

28 4. The Anne Arundel County Community College Board
29 of Trustees; and

30 5. The Association of Educational Leaders (AEL).

1 (3) (i) The Governor shall designate as chair of the Commission
2 one of the five members appointed by the Governor under subsection (b)(2)(ii) of this
3 section.

4 (ii) The term of the chair of the Commission is 4 years.

5 (iii) The Governor may reappoint the chair of the Commission for
6 a second term.

7 (iv) The term of a member of the Commission is 4 years.

8 (4) The Department of Legislative Services shall provide staff for the
9 Commission.

10 (5) Beginning January 1, 2008, for each nomination to the county
11 board, the Commission shall submit to the Governor a list of nominees that contains:

12 (i) At least two names for each vacancy; or

13 (ii) If there are fewer than two applicants for a vacancy, the
14 number of names that is equal to the number of applicants for the vacancy.

15 (c) (1) Following the initial appointment of a member of the Anne
16 Arundel County Board of Education by the Governor, a member may continue to serve
17 for the remainder of the member's first term subject to the approval or rejection of the
18 registered voters of the county at the next general election.

19 (2) A member of the county board may serve for a second consecutive
20 term subject to the approval of or rejection by the registered voters of the county at the
21 next general election.

22 (3) (i) The approval or rejection of a member of the county board by
23 the registered voters of the county provided for in subparagraph (ii) of this paragraph
24 shall be a vote for the member's retention or removal.

25 (ii) On receipt of the notice required under § 5-301(h) of the
26 Election Law Article, the name of the member of the county board shall be placed on
27 the appropriate ballot and shown, without opposition, and the voters shall vote for or
28 against the member's retention as a member of the county board.

29 (4) If the voters reject the retention of the member, or the vote is tied:

30 (i) The position shall become vacant 10 days after certification
31 of the election returns; and

32 (ii) The member serves until a successor is appointed and
33 qualifies.

1 (d) (1) The student member shall:

2 (i) Be a regularly enrolled senior year student of good character
3 and in good standing in an Anne Arundel County public high school;

4 (ii) Be selected in the student's junior year by a method selected
5 by the Chesapeake Regional Association of Student Councils of Anne Arundel County;

6 (iii) 1. Serve a term of 1 year; and

7 2. Continue to serve after graduation and until a
8 successor is appointed and qualifies.

9 (2) If a vacancy in the position of the student member occurs during
10 the term of the student member, the Chesapeake Regional Association of Student
11 Councils shall:

12 (i) Conduct a special election at its next general meeting; and

13 (ii) By utilizing the same method that it used to select the
14 previous student member of the board, select another student member to fill the
15 vacancy.

16 (e) A board member who does not maintain the residency qualification shall
17 be replaced as a member.

18 (f) If the boundary line of a legislative district changes, an incumbent
19 member of the county board who, because of the change, no longer resides in the
20 legislative district from which the member was appointed may complete the term.

21 (g) (1) The President of the Anne Arundel County Board of Education is
22 entitled to receive \$8,000 annually as compensation and, except for the student
23 member, the other board members are entitled to receive \$6,000 each annually as
24 compensation.

25 (2) A student member who completes a full term on the board shall be
26 granted a scholarship of \$6,000 to be applied toward the student's higher education
27 costs.

28 **(H) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS**
29 **SUBSECTION, ALL ACTIONS OF THE COUNTY BOARD AND THE COMMISSION**
30 **SHALL BE TAKEN AT A PUBLIC MEETING AND A RECORD OF THE MEETING AND**
31 **ALL ACTIONS SHALL BE MADE PUBLIC.**

1 **(2) THE PROVISIONS OF THIS SUBSECTION DO NOT PROHIBIT THE**
2 **COUNTY BOARD OR THE COMMISSION FROM MEETING AND DELIBERATING IN**
3 **EXECUTIVE SESSION, PROVIDED THAT ALL ACTIONS OF THE COUNTY BOARD**
4 **AND THE COMMISSION, TOGETHER WITH THE INDIVIDUAL VOTE OF EACH**
5 **MEMBER OF EACH BODY, ARE CONTAINED IN A PUBLIC RECORD.**

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
7 July 1, 2010.